

REMARKS

In the Office Action mailed on March 28, 2003 by the United States Patent and Trademark Office, the Examiner rejected claims 1-11. Applicants have amended claims 1-11, primarily to improve clarity. Claim 7 has been amended to be dependent on claim 3. New claims 12-16 have been added to more completely claim the invention. After entry of this Amendment, claims 1-11 remain in this application among claims 1-16. Reconsideration is respectfully requested in light of the foregoing amendments and the following remarks. The foregoing amendments and the following remarks are believed to be fully responsive to the Office Action mailed March 28, 2003 and also render all currently pending claims at issue patentably distinct over the references of record.

I. REMARKS REGARDING THE PAPERS

Applicants recognize the defect identified by the Examiner in the declaration signed on 1/4/01 and believe that a corrected declaration, signed 6/30/01 and 7/24/01 and containing the desired priority information, was previously filed on August 28, 2001 with a preliminary amendment. A copy is included with this response. Applicants have reviewed the second-filed declaration and found no defect. If the Examiner believes the defect is inadequately cured by the second-filed declaration, Applicants will gladly submit another.

II. REMARKS REGARDING THE SPECIFICATION

Applicants have amended the Specification to include the serial number on page 7, line 20, as required by the Examiner. A marked-up copy of the amended paragraph is included.

III. OBJECTIONS TO THE CLAIMS

Claim 10 has been amended from "an particular task" to --a particular task-- as the Examiner has requested.

IV. REJECTIONS UNDER 35 U.S.C. 112

The Examiner rejected claim 11 under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which Applicants regard as their invention. Claim 11 has been corrected to remove the defect. Applicants respectfully request examination of the corrected claim 11.

The Examiner rejected claims 1-6 and 8-11 under 35 U.S.C. 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter which Applicants regard as their own. Applicants have corrected the claims 1-4 and 8-11 to remove the causes of the Examiner's rejections under 35 USC 112. Applicants respectfully suggest that dependent claims 5 and 6 have been made clear by the corrections to independent claim 1. Applicants submit that all antecedent basis issues and all lack of clarity issues have been resolved. Applicants respectfully request examination of the corrected claims 1-6 and 8-11.

V. REJECTIONS UNDER 35 U.S.C. 102(e)

The Examiner rejected claims 1, 2, 5 and 6 under 35 U.S.C. 102(e) as being anticipated by Hartel et al. (5,454,074). More specifically, the Examiner states that "Hartel teaches a method of window management for a checklist containing a plurality of tasks" which anticipates Applicant's invention.

Applicants respectfully traverse the rejections of claims 1, 2, 5 and 6. Specifically in regard to claim 1 (amended), Applicants respectfully submit that Hartel does not disclose "storing a layout of a frame on the display from which the checklist function is selected" (App. Claim 1, lines 4-5). Applicants respectfully submit that Hartel's storage is of notes (apparently kept in a database 18/FIG. 1) into an "operational notes file" in preparation for display if selected by pushing Hartel's NOTES button. Thus Hartel's storage relates to content storage and is unrelated to window management.

Hartel also does not disclose a window (App, Claim 1, line 7), synoptic information (App, Claim 1, line 7), a frame (App, Claim 1, line 4), or a method of window management (App, Claim 1, line 1). Applicant respectfully submits that the information shown in FIG. 2 is not synoptic information, but detailed information relating to specific parts. For example, 36-1 in Hartel's FIG. 2 gives only a title and a status, without any synoptic information about

the "EVACUATION COMMAND." Furthermore, the Examiner should appreciate that the sum of the data displayed in Hartel's FIG. 2 does not provide a synopsis of any larger system. Contrast Applicants' 402 in FIG. 4, showing synoptic information regarding an entire aircraft fuel system.

Applicants respectfully submit that Hartel does not disclose a window, a frame, or synoptic pages, (App. claim 2, lines 1-2) and so cannot anticipate Applicants' claim 2. The Examiner is respectfully requested to consider that the use of windows or frames is not inherent in Hartel's FIG. 2 (cited by the Examiner), and that Hartel does not disclose windows or frames in text supporting Fig. 2. Accordingly, Hartel's FIG. 2 does not disclose a window or a frame. Likewise, as to claims 5 and 6, Hartel does not disclose Applicants' frame.

Anticipation requires that the reference contain each and every element of Applicant's claimed invention. Hartel does not disclose every element of Applicants' independent claim 1. Because Hartel does not disclose every element of Applicant's claimed invention, Applicants respectfully submit that Hartel cannot anticipate Applicant's claim 1. The Examiner is respectfully requested to withdraw the rejections of claim 1 under 35 U.S.C. 102(e). The Examiner is also respectfully requested to allow claims 2-6 as depending from allowable independent claim 1 as well as being independently allowable for the reasons given above.

III. REJECTIONS UNDER 35 U.S.C. 103

The Examiner rejected claims 3-4 under 35 U.S.C. 103(a) as being unpatentable over Hartel in view of Briffe, et al., (Briffe, 6,038,498). Applicants submit that claims 3-4 are allowable as depending from an allowable claim, as discussed under claims 1 and 2, above. Applicants also respectfully traverse this rejection. Applicants respectfully submit that neither Briffe nor the combination of Hartel and Briffe teach or suggest synoptic pages associated with a task on a checklist. (App. claim 3, lines 2-5; claim 4 lines 2-3) (See the definition of "synoptic," above). Likewise, neither Briffe nor Hartel teach or suggest synoptic frames. Because the combination of Hartel and Briffe does not teach or suggest every element of Applicants' claims 3 and 4, Applicants respectfully submit that claims 3-4 are not obvious.

The Examiner rejected claims 7-11 under 35 U.S.C. 103(a) as being unpatentable over Hartel in view of Netscape Communicator ("Netscape") and further in view of Southgate (US 5,561,757). Claim 7 has been amended to depend from claim 1. Applicant respectfully traverses the rejection of claim 8, as amended, submitting that the combination fails because Hartel fails for the reasons already given above.

As to independent claim 8, Applicants respectfully submit that Hartel does not teach or suggest "displaying the synoptic window associated with said task" where Hartel does not teach or suggest the use of synoptic information. Applicants respectfully submit that a Netscape menu bar is not a checklist. A checklist provides a mechanism for tracking tasks for which a human has ultimate responsibility to execute (App. page 1, lines 20-25), whereas a Netscape menu bar is an input device for instructing a computer to perform particular functions. Combining Netscape and/or Southgate with Hartel will not teach or suggest every element of Applicants' claims because Hartel does not teach or suggest the elements omitted by Netscape and Southgate. Accordingly, the combination of Hartel, Southgate, and Netscape does not teach or suggest every element of Applicants' amended claim 8. Accordingly, claim 8 should be allowed. Claims 9-11 should be allowed as depending from allowable claim 8 and as independently patentable on the same grounds.

IV. CONCLUSION

It is respectfully submitted that the above-identified application, as amended, is now in condition for allowance and such allowance is therefore earnestly requested by the Applicant. Should the Examiner have any questions or wish to further discuss the above-identified patent application, the Applicant requests that the Examiner contact the undersigned at (480) 385-5060.

If for some reason the Applicant has not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment of this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,



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